

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SIDNEY CAMPBELL,

Plaintiff,

-against-

CANARSIE PLAZA LIQUOR WAREHOUSE
CORP.,

Defendant.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Reyes's Report and Recommendation (R&R) dated July 28, 2022. ECF No. 31. Judge Reyes recommends granting in part and denying in part Defendant's motion to dismiss. Specifically, he recommends (1) that Plaintiff's claims under the New York State and City Human Rights Laws be dismissed for lack of subject-matter jurisdiction; (2) that his wage-notice violation claim under the New York Labor Law be dismissed for failure to state a claim; and (3) that the remainder of Defendant's motion be denied. Neither party has filed objections, and the time to do so has expired. See Fed. R. Civ. P. 72(b) advisory committee's note to 1983 addition; accord *State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013). Having reviewed the record, I find no clear error and therefore adopt the R&R in its entirety. Thus, Plaintiff's claims under Section 296 of the New

MEMORANDUM & ORDER
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York City Law and under Title 8 of the New York City Administrative Code are dismissed for lack of subject-matter jurisdiction. Plaintiff's claim under Section 195(1)(a) of the New York Labor Law is dismissed for failure to state a claim. Defendant's motion to dismiss is denied in all other respects.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: September 28, 2022
Brooklyn, New York